

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PUBLIC SERVICES – Prohibition & Excise Department – Relaxation of Rule-10(a) of A.P. State & Subordinate Service Rules,1996, in favour of Ch. Venkateswarlu, Prohibition and Excise Superintendent (Retd) for consideration of notional promotion as Asst. Commissioner of Prohibition and Excise on par with his junior Sri C. Ashok Kumar, Asst. Commissioner of Prohibition and Excise – Orders – Issued.

REVENUE (EXCISE-I) DEPARTMENT

G.O.Rt.No.1199 .

Dated:13.08.2012

Read the following:

1. G.O.Rt. No. 485, Rev (Ex-I) Dept., Dt: 25.04.2011.
2. Rep.of Sri. Ch.Venkateswarlu, P&ES,Dt: 20.06.2012.
3. From the APAT order dated: 30.07.2012 in OA. No. 5859/2012 filed by Sri Ch. Venkateswarlu,P&ES.

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ORDER:

Sri Ch.Venkateswarlu, Prohibition & Excise Superintendent, Kakinada (Retd on 31.07.2012) in his representation 2nd read above has requested to consider his promotion as Asst. Commissioner of Prohibition and Excise before his retirement on 31.07.2012 as the charges pending against him were dropped in G.O.Rt.No. 1081, Rev (Vig-V) Dept., Dt: 19.07.2012.

2. Govt. after careful consideration of the matter observe that the name of Sri Ch. Venkateswarlu, P&ES whose name is at Sl.No.18 in the seniority list has not been considered by the DPC for promotion to the post of AC in the panel year 2010-11 due to pendency of charges framed in G.O.Rt. No. 358, Rev (Vig-V) Dept., Dt: 22.03.2011 in connection with disproportionate assets case registered by the ACB. Therefore his immediate junior Sri C. Ashok Kumar, whose name is at Sl.No .19, was promoted as AC duly invoking rule 10(a) of APS&SS Rules along with (23) others vide G.O. 1st read above. Further, during the panel year 2011-12, also the name of Sri Ch.Venkateswarlu has not been considered for promotion due to pendency of charges.

3. While the matter stood thus in G.O.Rt.No. 1081 Rev(Vig-V) Dept., Dt: 19.07.2012 Govt., have dropped further action against Sri Ch.Venkateswarlu, P&ES in connection with the disproportionate assets case registered by the ACB and prior to this Govt. have already dropped charge No. II relating to violation of APCS (Conduct) Rules, 1964 vide G.O.Rt. No.584, Revenue (Vig-V)Dept., Dt: 18.05.2011. Further Sri Ch.Venkateswarlu, Prohibition & Excise Superintendent, Kakinada has also filed O.A. No. 5859/2012 before the Hon'ble APAT for promotion as Asst. Commissioner of Prohibition and Excise in the existing vacancies with effect from date of promotion of his juniors, if necessary, by convening the Review Departmental Promotion Committee. The Hon'ble Tribunal while disposing of the OA No. 5859/12 has passed the following order dated: 30.07.2012 in O.A. NO. 5859/2012:

"The Respondent Government should take action expeditiously to conduct DPC/Review DPC for consideration of his promotion as Assistant Commissioner, on par with his juniors. The whole process should be completed within a period of 10 days from Today."

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4. In this regard Sri Ch. Venkateswarlu, Prohibition and Excise Superintendent joined in the post of Excise Superintendent on 19.02.2009. As on 01.09.2010(qualifying date for the panel year 2010-11) he had already completed his one year probation period but had not completed the minimum qualifying service of 3 years required for considering his promotion as Asst. Commissioner of Prohibition and Excise. In view of the above and as the charges pending against him have been dropped, Govt., have decide to invoke the provision of rule 10(a) of A.P. State & Subordinate Service Rules in his favour as was done in respect of (23) others, including his immediate junior Sri C. Ashok Kumar(Sl. No.15), Vide G.O. first read above, so that he can be considered for notional promotion on par with his junior Sri C. Ashok Kumar as Asst. Commissioner of Prohibition and Excise for the panel year 2010-11.

5. In the light of the above Government, after careful examination of the matter, hereby order to invoke Rule-10 (a) of the A.P. State & Subordinate Service Rules, 1996 in favour of Sri Ch.Venkateswarlu, on administrative exigencies, with retrospective effect from 25.04.2011 (date of issue of G.O.Rt.No.485, Rev (Ex-I) Dept., Dt: 25.04.2011) so as to consider his name for notional promotion in the category of Asst. Commissioner of Prohibition and Excise in the panel year 2010-11 on par with his junior Sri C. Ashok Kumar, if he is otherwise found eligible.

6. The Commissioner of Prohibition & Excise, A.P., Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P., Hyderabad
Copy to:
The PS to Minister for Excise and Prohibition.
The GA(DPC-I) Department.
The GA(Ser-D) Department.
Stock file/ Spare.

// FORWARDED :: BY ORDER //

SECTION OFFICER